

SEWER EASEMENT

FOR AND IN CONSIDERATION of the sum of Five Thousand Eight Hundred and Sixty Dollars (\$5,860.00), in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we, Bobby M. Depriest and Mary E. Depriest as Trustees of the Bobby M. Depriest Revocable Living Trust and Billy E. Depriest and Trudy H. Depriest, as Trustees of the Billy E. Depriest Revocable Living Trust, hereinafter referred to as "Grantor", do hereby grant, bargain and convey unto the City of Olive Branch, its successors and assigns, hereinafter referred to as "Grantee", the right, privilege and easement at any time and from time to time to construct, maintain, inspect, operate, protect, repair, replace, change the size of, or remove a pipeline, pipelines and other appurtenances for operation of the City Sewage System, within the confines of an area described in Exhibit 1, which is attached hereto and made a part hereof as if fully copied herein, together with reasonable access thereto.

TO HAVE AND TO HOLD said easement and reasonable access thereto unto said Grantee, its successors and assigns temporarily, where noted, and permanently, where noted in Exhibit 1.

With regard to any temporary easement, the easement shall expire upon completion of construction. Completion of construction shall be defined as occurring at the time of final payment being made by Grantee to the Contractor performing the construction work.

It is agreed that the pipeline or pipelines to be laid under this grant shall be constructed at sufficient depth below the surface of the ground to permit normal cultivation, and Grantor shall have the right to fully use and enjoy the above described premises, subject to the rights herein granted.

Grantee shall have the right to clear and keep clear all trees, undergrowth and other obstructions from the herein granted easement, and Grantor agrees not to build, construct or create, nor permit others to build, construct or create any buildings or other structures on the herein granted easement that will interfere with the normal operation and maintenance of the said line or lines.

Grantor hereby expressly agrees that in the event the route of the pipeline to be constructed hereunder should cross any roads, railroads, creeks, rivers or other waterways located on the above described land or other places requiring extra working space, Grantee shall have the right and temporary access to additional working space which may be necessary for construction.

Grantor represents that the above described land is not rented at the present time.

The terms and conditions hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, devisees, successors, trustees or assigns of the parties hereto, and the rights herein granted may be assigned in whole or in part.

IN WITNESS WHEREOF the said Grantor has hereunto set his hand and seal, this

12th day of August, 2004.

THE BOBBY M. DEPRIEST REVOCABLE
LIVING TRUST

BY: Bobby M. Depriest

BOBBY M. DEPRIEST, as Trustee

BY: Mary E. Depriest

MARY E. DEPRIEST, as Trustee

Witnessed by:

Rosie Smith

STATE MS.-DESO TO CO. me
FILED me

SEP 15 1 52 PM '04

BK 482 PG 220
H.E. DAVIS CH. CLK.

THE BILLY E. DEPRIEST REVOCABLE
LIVING TRUST

BY:

Billy E. Depriest
BILLY E. DEPRIEST, as Trustee

BY:

Trudy H. Depriest
TRUDY H. DEPRIEST, as Trustee

Witnessed by:

Rosie SmithAPPROVED AND ACCEPTED by the
City of Olive Branch

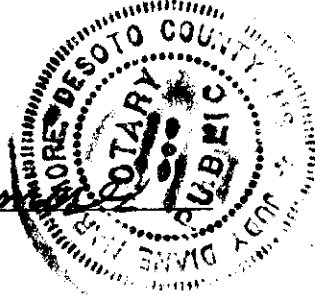
By:

Samuel P. Rikard
SAMUEL P. RIKARD, MAYORSTATE OF Mississippi
COUNTY OF DeSoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this 17th day of August, 2004, within my jurisdiction, Rosie Smith, one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that she saw the within named Bobby M. Depriest and Mary E. Depriest, as Trustees of The Bobby M. Depriest Revocable Living Trust, and who names are subscribed thereto, sign and deliver the same to the City of Olive Branch; and that the affiant subscribed her name as witness thereto in the presence of same.

Rosie Smith

Witness

Judy Diane Naranjo
NOTARY PUBLIC

My Commission Expires:

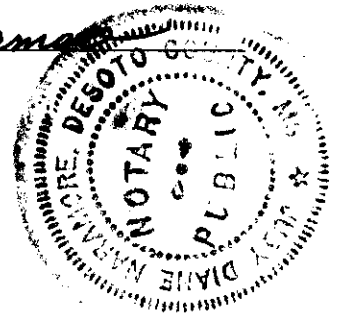
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 19, 2005
BONDED THRU STEGALL NOTARY SERVICE

STATE OF Mississippi
COUNTY OF Desoto

Personally appeared before me, the undersigned authority in and for the said county and state, on this 17th day of August, 2004, within my jurisdiction, Rosie Smith one of the subscribing witnesses to the above and foregoing instrument, who, being first duly sworn, states that she saw the within named Billy E. Depriest and Trudy H. Depriest, as Trustees of The Billy E. Depriest Revocable Living Trust, and who names are subscribed thereto, sign and deliver the same to the City of Olive Branch; and that the affiant subscribed her name as witness thereto in the presence of same.

Rosie Smith
Witness

Judy Diane Norem
NOTARY PUBLIC



My Commission Expires:

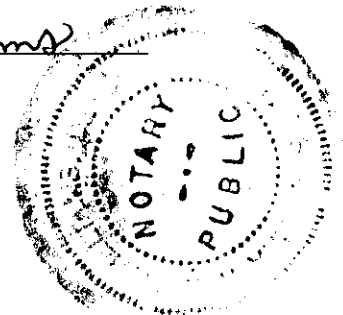
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 19, 2005
BONDED THRU STEGALL NOTARY SERVICE

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state on this 13th day of September, 2004, within my jurisdiction, the within named Samuel P. Rikard and Judy C. Herrington, who acknowledged that they are the Mayor and City Clerk, respectively, of the City of Olive Branch, and that in said representative capacity they executed the above and foregoing instrument, after first having been duly authorized so to do.

Jina Rena Williams
NOTARY PUBLIC



My Commission Expires:
MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES AUG 13, 2006
BONDED THRU STEGALL NOTARY SERVICE

PREPARED BY AND RETURN TO: Gary P. Snyder, Watkins Ludlam Winter & Stennis, P.A.,
P.O. Box 1456, Olive Branch, MS 38654, 662-895-2996.

BOBBY M. DEPRIEST and MARY E. DEPRIEST
(Trustees of the Bobby M. Depriest Revocable Living Trust)
BILLY E. DEPRIEST and TRUDY H. DEPRIEST
(Trustees of the Billy E. Depriest Revocable Living Trust)
BOOK 350, PAGE 703

EXHIBIT 1

Being a portion of Lot 1, Southbranch Subdivision, lying in Section 25, Township 1 South, Range 6 West in the City of Olive Branch, Desoto County, Mississippi as recorded in Plat Book 26, Page 37 in the Office of the Chancery Clerk of Desoto County, Mississippi, and being more particularly described as follows:

PERMANENT UTILITY EASEMENT

Being a 10 foot wide strip of land and having a centerline described as follows: Beginning at a point 31.46 feet north and 10 feet east of the southeast corner of subject property; thence in a westerly direction an approximate distance of 88.10 feet to a point; thence continuing in an easterly direction an approximate distance of 97.37 feet to a point in the existing utility easement along the west line of subject property, said point being 17.0 feet north and 5 feet east of the southwest corner of subject property as measured along the west line of subject property and containing 1,704 square feet, more or less.

TEMPORARY CONSTRUCTION EASEMENTS

Being a 20 foot wide strip of land parallel and adjacent to the north side of the above described permanent utility easement and a remnant portion of land along the south side of the above described permanent utility easement and containing 6,129 square feet, more or less.

DePRIEST

(vacant lot - just east of Lea Jones Realty)

phone: 901-581-4599

Pre-take acreage: 1.08 ac. 46,892 sf
Permanent easement: 0.04 ac. 1,704 sf
Post-take acreage: 1.04 ac. 45,188 sf
Temporary easement: 0.14 ac. 6,129 sf



SCALE: 1" = 50'

M. LEA JONES AND
PEGGY R. LEIGH
BK. 305, PG. 279

SOUTHBRANCH S/D
LOT 2

BOBBY M. DEPRIEST &
MARY E. DEPRIEST

TRUSTEES OF THE BOBBY M. DEPRIEST
REVOCABLE LIVING TRUST
BILLY E. DEPRIEST &
TRUDY H. DEPRIEST

TRUSTEES OF THE BILLY E. DEPRIEST
REVOCABLE LIVING TRUST
BK. 350, PG. 703

SOUTHBRANCH S/D
LOT 1

BUTLER MCKINLEY
BK. 233, PG. 747

S-21, T-1-S, R-7-W
PARCEL 3.0

EASEMENT REQUIRED

UNENCUMBERED: ENCUMBERED:
PERM: 1,704 S.F. PERM: 0.0 S.F.
TEMP: 6,129 S.F. TEMP: 0.0 S.F.

EXHIBIT NO. 1

SHEET 1 OF 1

THE CITY OF OLIVE BRANCH, MISSISSIPPI
DESOTO COUNTY
OLIVE BRANCH SEWER IMPROVEMENTS

UTILITY EASEMENT

PREPARED BY: F&A BK. 350, PG. 703 TRACT: DEPRIEST
DRAFTSMAN: B.S. DATE: MAY, 2004

NO.	DESCRIPTION	DATE	BY

THIS PROPERTY IS LOCATED IN SW 1/4 SECTION 25
TOWNSHIP 1 SOUTH, RANGE 7 WEST
DESOTO COUNTY, MISSISSIPPI

GOODMAN ROAD (HWY 302)

185.02

EX. 5' UTILITY ESMT.

TRUSTEES OF THE BOBBY M. DEPRIEST
REVOCABLE LIVING TRUST
BILLY E. DEPRIEST &
TRUDY H. DEPRIEST

TRUSTEES OF THE BILLY E. DEPRIEST
REVOCABLE LIVING TRUST
BK. 350, PG. 703

SOUTHBRANCH S/D
LOT 1

M. LEA JONES AND
PEGGY R. LEIGH
BK. 305, PG. 279

SOUTHBRANCH S/D
LOT 2

EASEMENT REQUIRED

UNENCUMBERED: ENCUMBERED:
PERM: 1,704 S.F. PERM: 0.0 S.F.
TEMP: 6,129 S.F. TEMP: 0.0 S.F.

EXHIBIT NO. 1

SHEET 1 OF 1

THE CITY OF OLIVE BRANCH, MISSISSIPPI
DESOTO COUNTY
OLIVE BRANCH SEWER IMPROVEMENTS

UTILITY EASEMENT

PREPARED BY: F&A BK. 350, PG. 703 TRACT: DEPRIEST
DRAFTSMAN: B.S. DATE: MAY, 2004

NO.	DESCRIPTION	DATE	BY

THIS PROPERTY IS LOCATED IN SW 1/4 SECTION 25
TOWNSHIP 1 SOUTH, RANGE 7 WEST
DESOTO COUNTY, MISSISSIPPI

GOODMAN ROAD (HWY 302)